

HIGH COURT OF CHHATTISGARH AT BILASPUR

Order Sheet

Criminal Misc. Petition No. 1332 of 2016

Shahzade Ahmad, S/o Abdul Hamid, aged about 50 years, R/o Afroz Badi, P.S. Moudha Para, District Raipur (C.G.)

... Petitioner

Versus

Gulam Murtuza, S/o Shri Ram Chandra Biswal, presently R/o Aalam Niwas, Nurani Chowk, Kabadi Gali, Raja Talab, P.S. Civil Lines, Tahsil & District Raipur (C.G.)

... Respondent

06/12/2016	Mr. J.K. Gupta, Advocate, for the Petitioner. Heard on I.A. No.1 - application for condonation of delay in filing the present petition which is barred by limitation of 132 days. On finding the reasons assigned in the I.A. No.1 to be satisfactory and also taking note of the fact that the Petitioner has approached the wrong forum for assailing the impugned order, I.A. No.1 is allowed and the delay of 132 days occurred in the filing of the present petition is condoned. Taking into consideration the facts and circumstances of the case particularly, the fact that the complaint of the Petitioner got dismissed for want of prosecution, the present Criminal Misc. Petition is allowed. Registry is directed to register the present case as a regular Acquittal Appeal. The Acquittal Appeal is admitted for hearing. Let notice be issued to the Respondent on acquittal appeal, as per rules. Call for records of the case and list the acquittal appeal after the Respondent is served. Sd/- (P. Sam Koshy) JUDGE	
Sharad		